

UNITED STATES DISTRICT COURT
for the

Western District of North Carolina

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 87 months months is reduced to 69 months .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 35 Amended Offense Level: 33

Criminal History Category: III **Criminal History Category:** III

Previous Guideline Range: 210 to 262 months Amended Guideline Range: 168 to 210 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.

■ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at

of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than

70. Increasing is a result of a departure of State of Education, and the reduced sentence is comparatively less than the
71. amended guideline range.

Other (explain):

III. ADDITIONAL COMMENTS

The defendant was originally sentenced to 210 months confinement on 1/12/06. On 6/17/08, pursuant to Rule 35, the sentence was reduced to 87 months confinement. It is further ordered that as a condition of supervised release the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the

Except as provided above, all provisions of the judgment dated 6/17/08 shall remain in effect.

IT IS SO ORDERED.

Order Date: November 12, 2008

Effective Date: November 12, 2008
(if different from order date)

Richard L. Vorkler

Richard L. Voorhees
United States District Judge

